

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YOLANY PADILLA, on behalf of herself and her 6-year-old son J.A.; IBIS GUZMAN, on behalf of herself and her 5-year-old son R.G.; BLANCA ORANTES, on behalf of herself and her 8-year-old son A.M.; BALTAZAR VASQUEZ, on behalf of himself;

Plaintiffs-Petitioners.

V.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (“ICE”); U.S. DEPARTMENT OF HOMELAND SECURITY (“DHS”); U.S. CUSTOMS AND BORDER PROTECTION (“CBP”); U.S. CITIZENSHIP AND IMMIGRATION SERVICES (“USCIS”); EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (“EOIR”); U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (“HHS”); OFFICE OF REFUGEE RESETTLEMENT (“ORR”); THOMAS HOMAN, Acting Director of ICE; KIRSTJEN NIELSEN, Secretary of DHS; KEVIN K. McALEENAN, Acting Commissioner of CBP; L. FRANCIS CISSNA, Director of USCIS; ALEX M. AZAR II, Secretary of HHS; SCOTT LLOYD, Director of ORR; MARC J. MOORE, Seattle Field Office Director; ICE, JEFFERSON BEAUREGARD SESSIONS III, United States Attorney General; LOWELL CLARK, warden of the Northwest Detention Center in Tacoma, Washington; CHARLES INGRAM, warden of the Federal Detention Center in SeaTac, Washington; DAVID SHINN, warden of the Federal Correctional Institute in Victorville, California;

Defendants-Respondents.

| No. 2:18-cv-928 MJP

**ORDER GRANTING
PLAINTIFFS' MOTION
FOR CLASS
CERTIFICATION
REGARDING THE
AMENDED
COMPLAINT'S
“CREDIBLE FEAR
INTERVIEW CLASS” &
“BOND HEARING
CLASS”**

[PROPOSED]

ORDER GRANTING PLAINTIFFS' CLASS CERT NORTHWEST IMMIGRANT RIGHTS PROJECT
MOTION RE: "CREDIBLE FEAR INTERVIEW" & 615 Second Avenue, Suite 400
"BOND HEARING" CLASSES [PROPOSED]- 1 Seattle, WA 98104

15 Second Avenue, Suite 400
Seattle, WA 98104
Telephone (206) 957-8611

1 This matter having come before the Honorable Marsha J. Pechman on the Plaintiffs'
2 Motion For Class Certification Regarding The Amended Complaint's "Credible Fear Interview
3 Class" & "Bond Hearing Class"; and the court having considered the pleadings submitted in
4 support and opposition to the Motion, and having heard argument of counsel, it is hereby

5 ORDERED that the Credible Fear Interview Class and Bond Hearing Class proposed in
6 the Amended Complaint are entitled to class certification under Fed.R.Civ.P. 23.

7 IT IS THEREFORE FURTHER ORDERED that Plaintiffs' Motion For Class
8 Certification Regarding The Amended Complaint's "Credible Fear Interview Class" & "Bond
9 Hearing Class" is hereby GRANTED, and that

10 A. The following **Credible Fear Interview Class** is certified for this case to proceed as
11 a class action: "All detained asylum seekers in the United States subject to expedited
12 removal proceedings under 8 U.S.C. §1225(b) who are not provided a credible fear
13 determination within 10 days of requesting asylum or expressing a fear of persecution
14 to a DHS official."

15 B. Plaintiffs YOLANY PADILLA, IBIS GUZMAN, BLANCA ORANTES, and
16 BALTAZAR VASQUEZ are designated as representatives of the Credible Fear
17 Interview Class, and their counsel are appointed as class counsel.

19 C. The following **Bond Hearing Class** is certified for this case to proceed as a class
20 action: "All detained asylum seekers who entered the United States without
21 inspection, were initially subject to expedited removal proceedings under
22 8 U.S.C. §1225(b), were determined to have a credible fear of persecution, but are not
23 provided a bond hearing with a verbatim transcript or recording of the hearing within
24 7 days of requesting a bond hearing."

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PLAINTIFFS' CLASS CERT MOTION RE:
"CREDIBLE FEAR INTERVIEW" &
"BOND HEARING" CLASSES - 1
CASE NO. 2:18-cv-928 MJP

NORTHWEST IMMIGRANT RIGHTS PROJECT
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1 D. Plaintiffs YOLANY PADILLA, IBIS GUZMAN, BLANCA ORANTES, and
2 BALTAZAR VASQUEZ are designated as representatives of the Bond Hearing
3 Class, and their counsel are appointed as class counsel.

4 DATED this _____ day of August, 2018.
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7
8 HONORABLE MARSHA PECHMAN

PLAINTIFFS' CLASS CERT MOTION RE:
"CREDIBLE FEAR INTERVIEW" &
"BOND HEARING" CLASSES - 2
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